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Fax Call Report

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U.S. EPA R8 (6251mr)
303-312-7519
2007-Jan-25 09:41 AM

Job	Date/Time	Type	Identification	Duration	Pages	Result
13	2007-Jan-25 09:39 AM	Send	.914062938901	2:14	7	Success

Received 1/24/07

ISSUED BY THE

UNITED STATES DISTRICT COURT

DISTRICT OF COLORADO

In re:

SUBPOENA IN A CHAPTER 11 CASE

W. R. GRACE & CO., *et al.*

Debtors.

Case Number: 01-01139 (JKF)
(Jointly Administered)
District Court of Delaware (Bankr.)

SECOND SUBPOENA FOR THE
PRODUCTION OF DOCUMENTS

TO: Mr. Max Dodson
Assistant Regional Administrator
United States Environmental Protection Agency - Region 8
999 18th Street - Suite 300
Denver, CO 80202-2466

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below testify in the above case

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

- ☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION:

DATE AND TIME
[INSERT]

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date and time specified below (list documents or objects). Notwithstanding, this Second Subpoena shall not include any otherwise responsive documents, objects, and/or materials that were produced by the EPA in response to the previously issued [First] Subpoena for the Production of Documents:

Any and all documents or other materials relating to the inspection for, and/or abatement of, asbestos or vermiculite at any of the properties identified on Exhibit 1 to this Subpoena (the "Subject Properties"). This request is limited to documents or other materials created during the period from November 1999 to date. This request includes, but is not limited to, the following categories of documents:

- Category 1: Any requests for inspection, remediation, and/or abatement that have been submitted to the EPA by the owners of any of the Subject Properties.
- Category 2: Any reports that were prepared by the EPA or its agents before, during, and/or after the inspection of any of the Subject Properties.
- Category 3: Any reports that were prepared by the EPA or its agents before, during, and/or after the remediation or other abatement efforts at any of the Subject Properties.
- Category 4: Any charts, reports, or the like identifying the remediation or abatement status of any of the Subject Properties.
- Category 5: Any letters or other correspondence that include any information concerning the presence (or lack of presence) of vermiculite or asbestos on the Subject Properties.

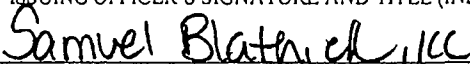
All documents produced pursuant to this request should be organized into the above-referenced categories. Should you choose to withhold any documents that are otherwise responsive to this Subpoena, please provide a log of any responsive materials withheld from production and the basis upon which the documents were withheld.

PLACE: The files produced pursuant to this Subpoena should be duplicated via photocopier and mailed, via overnight mail, to Debtors' counsel, Samuel L. Blatnick, at Kirkland & Ellis LLP, 200 E. Randolph St, Chicago, IL 60601 (312) 861-2359, Sblatnick@kirkland.com, so Mr. Blatnick receives these documents and records before February 7, 2007. Counsel will reimburse You for the cost of assembly, duplication, mailing, and any other costs reasonably incurred in complying with this Subpoena.	DATE AND TIME Before February 7, 2007
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☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR 	DATE January 23, 2007
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER Samuel L. Blatnick, Esq. Kirkland & Ellis LLP, 200 East Randolph Drive, Chicago, IL 60601 312-861-2359	

PROOF OF SERVICE

SERVED	DATE	PLACE
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SERVED ON (PRINT NAME)	MANNER OF SERVICE
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SERVED BY (PRINT NAME)	TITLE
------------------------	-------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

_____	SIGNATURE OF SERVER
DATE	ADDRESS OF SERVER

EXHIBIT 1

	Address of Property
1	1304 Washington Ave Libby, MT 59923
2	2268 Farm to Market Road Libby, MT 59923
3	651 Quartz Road Libby, MT 59923
4	203 East Spruce Libby, MT 59923
5	346 Granite Avenue Libby, MT 59923
6	300 Granite Avenue Libby, MT 59923
7	1302 Airth Avenue Libby, MT 59923
8	141 Conifer Road Libby, MT 59923
9	416 W 4 th Street Libby, MT 59923
10	280 Dolphin Lane Libby, MT 59923
11	94 Rainbow Lane Libby, MT 59923
12	902 East Lincoln Blvd Libby, MT 59923
13	1004 Mineral Avenue Libby, MT 59923
14	500 Taylor Road Libby, MT 59923
15	377 Thomas Street Libby, MT 59923
16	1681 Highway 2 South Libby, MT 59923

17	12 1/2 Garrison Rd. P.O. Box 424 Troy, MT 59935
18	1221 Dakota Avenue Libby, MT 59923
19	1115 Dakota Avenue Libby, MT 59923
20	3441 Farm To Market Road Libby, MT 59923
21	1021 Main Libby, MT 59923
22	1770 Highway 2 West Libby, MT 59923
23	3696 Second Street Extension Libby, MT 59923
24	172 St. Regis Road P.O. Box 396
25	155 St. Regis Haul, Rd. Troy, MT 59935
26	3819 US Highway 2 South Libby, MT 59923
27	182 Farm To Market Road Libby, MT 59923
28	412 Parmenter Libby, MT 59923
29	3518 Highway 2 South Libby, MT 59923
30	450 Farm To Market Road Libby, MT 59923
31	609 Ninth Street Libby, MT 59923

32	5000 Highway 37 North Libby, MT 59923
33	Sixth Street & Utah Avenue [2 lots] Libby, MT 59923
34	500 Jay Effar Road Libby, MT 59923
35	2498 Highway 2 South Libby, MT 59923
36	420 Indianhead Road Libby, MT 59923
37	1580 East Fifth Street Libby, MT 59923
38	265 Wards Road Libby, MT 59923
39	10553 Highway 37 Libby, MT 59923
40	320 Shalom Drive Libby, MT 59923
41	390 Autumn Road Libby, MT 59923
42	418 Indianhead Road Libby, MT 59923
43	506 Indianhead Road Libby, MT 59923
44	188 Highwood Drive Libby, MT 59923
45	102 East Ninth Street Libby, MT 59923
46	6797 Farm To Market Road Libby, MT 59923
47	208 West Spruce Libby, MT 59923
48	1421 Utah Avenue Libby, MT 59923

49	1108 Louisiana Avenue Libby, MT 59923
50	519 East Fourth Street Libby, MT 59923
51	158 Forest Avenue Libby, MT 59923
52	311 Idaho Libby, MT 59923



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
999 18TH STREET - SUITE 300
DENVER, CO 80202-2466
Phone 800-227-8917
<http://www.epa.gov/region08>

September 14, 2006

BY OVERNIGHT MAIL

Samuel L. Blatnick, Esq.
Kirkland & Ellis LLP
200 East Randolph Drive
Chicago, Illinois 60601

Re: Subpoena For Production of Documents
Max Dodson
Case Number: 01-01139(JKF)

Dear Mr. Blatnick:

Please find enclosed a DVD containing documents responsive to your Subpoena, which was served on Max Dodson on August 31, 2006. On September 12, 2006 I sent you a letter indicating the types of documents that would be available as well as the limited subset of properties to which they would apply. You followed up that letter with a telephone message to me on September 13, 2006 in which you indicated agreement with the types of responsive documents which would be supplied. The DVD contains all of the documents described in the September 12th letter. Therefore, this response fully satisfies the Subpoena.

If you have any questions, please call me at (303) 312-6853.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Cohn".

Matthew Cohn
Legal Enforcement Program

Enclosure

cc: Paul Peronard
Max Dodson



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